

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**PEGGY HARRINGTON,
Special Administrator of the
Estate of Jayden Lee Harrington,
deceased,**

Plaintiff,

v.

**UNITED STATES OF AMERICA,
and ALTON MEMORIAL HOSPITAL,**

Defendants.

No. 11-0358-DRH

ORDER

HERNDON, Chief Judge:

Pending before the Court is the government's motion to dismiss (Doc. 6). Specifically, the government moves to dismiss plaintiff's complaint as it does not contain the affidavit and report required by 735 ILCS 5/2-622. Plaintiff filed a response to the motion to dismiss along with an affidavit from her attorney and a physician's report pursuant to 735 ILCS 5/2-622. Thus, the Court **DENIES as moot** the government's motion to dismiss.

IT IS SO ORDERED.

Signed this 6th day of July, 2011.


David R. Herndon
2011.07.06
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**Chief Judge
United States District Court**